

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

STEVEN BRADLEY CORKER,

Plaintiff,

v.

Civil Action No. 3:13CV106

DEPARTMENT OF SOCIAL SERVICES,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on April 3, 2013, the Court conditionally docketed Steven Bradley Corker's action. At that time, the Court directed Corker to affirm his intention to pay the full filing fee by signing and returning the consent to collection of fees form. The Court warned Corker that a failure to comply with the above directives within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Corker has not complied with the order of this Court. Corker failed to return the consent to collection of fees form. As a result, he does not qualify for in forma pauperis status. Furthermore, he has not paid the statutory filing fee for the instant action. See 28 U.S.C. § 1914(a). Such conduct demonstrates a willful failure to prosecute. See Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Corker.

/s/ *REP*

Robert E. Payne
Senior United States District Judge

Date: October 3, 2013
Richmond, Virginia